

Dogs Regulation (Ireland) Bill.



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B I L L

FOR

Regulating the keeping of Dogs and for the
Protection of Sheep and other Property from
Dogs in Ireland.

WHEREAS much Loss and Damage is suffered in Ireland Preamble.
by the Owners of Sheep and other Property by the
Ravages of Dogs, and there is great Difficulty in iden-
tifying the Owners of such Dogs: And whereas it is expedient
5 to regulate the keeping of Dogs: Be it therefore enacted by the
Queen's most Excellent Majesty, by and with the Advice and Con-
sent of the Lords Spiritual and Temporal, and Commons, in this
present Parliament assembled, and by the Authority of the same,
as follows:

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Preliminary.

1. This Act may be cited for all Purposes as the "Dogs Regula- Short Title.
tion (Ireland) Act, 1865."

2. This Act shall come into operation on the *First Day of Commencement of Act.*
January One thousand eight hundred and sixty-six.

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3. This Act shall extend to Ireland only.

Act only to
extend to
Ireland.

[Bill 127.]

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4.—

Interpre-
tation Clause.

4.—

The Expression "Registrar," as used in this Act, shall mean the Registrar under the Petty Sessions Clerks (Ireland) Act, 1838 :

The Expression "Lord Lieutenant," as used in this Act, shall mean the Lord Lieutenant or other Chief Governor or 5 Governors of Ireland :

The Expression "Chief or Under Secretary," as used in this Act, shall mean the Chief or Under Secretary of the Lord Lieutenant, or other Chief Governor or Governors of Ireland :

The Expression "Petty Sessions Clerk," as used in this Act, shall 10 mean the Clerk of any Petty Sessions Court under the "Petty Sessions (Ireland) Act, 1851," and the "Petty Sessions Clerk (Ireland) Act, 1858;" and shall include the Chief or other Clerk of any Police Court in the Police District of Dublin Metropolitan : 15

The Expression "Justice or Justices at Petty Sessions," as used in this Act, shall include any Divisional Justice of Dublin Metropolitan Police; and the Expression "Petty Sessions District," as used in this Act, shall include the Police District 20 of the Dublin Metropolitan.

PART I.

Commissioners of
Inland Revenue to
provide Dies for
denoting License
Duty.

5. The Commissioners of Inland Revenue shall provide all necessary Dies for denoting, either by impressed or adhesive Stamps, the Amount or Value of Licenses according to the Scale fixed in Schedule A. to this Act annexed; and the Registrar shall, under 25 the Direction and Supervision of the Chief or Under Secretary, cause a sufficient Supply of the Forms in the Schedule (B.) to this Act annexed to be printed; and the said Commissioners shall cause any of such Forms to be stamped according to this Act with proper Stamps denoting the License Duty thereon; and the Registrar shall 30 cause the same, when so stamped, and also any adhesive Stamps that may be necessary for the Purposes of this Act, to be from Time to Time furnished to the several Petty Sessions Clerks in Ireland; and for the Purposes aforesaid the said Commissioners shall supply the Registrar with such stamped Forms and adhesive Stamps for 35 denoting the Amount or Value of any of such Licenses, under such Rules and Regulations as the Chief or Under Secretary shall from Time to Time make or direct.

Licenses to
keep Dogs,
&c.

6. Any Person, after the Commencement of this Act, having in his Possession or Custody any Dog or Dogs, shall, on or before the 40 *Thirty-first Day of March* in each Year, take out a License for such Dog

Dog or Dogs in the Petty Sessions District in which he shall reside; and the Petty Sessions Clerk, upon Payment by such Person of the proper License Duty, shall deliver such License to such Person, which shall entitle such Person to keep such Dog or Dogs for
 5 One Year from and after the Date of such License: Provided always, that where the Owner of a Dog or Dogs has given the Custody of such Dog or Dogs to another Person who shall not reside in the same Petty Sessions District as the Owner, the License for such Dog or Dogs shall be taken out by the Person having the
 10 Custody of such Dog or Dogs, and not by the Owner.

7. The Occupier of any House or Premises where any Dog or Dogs are kept or permitted to live or remain shall be liable to pay the License Duty for such Dog or Dogs, and in default of such Payment shall be liable to the Penalties incurred by Persons keeping
 15 unlicensed Dogs, unless the said Occupier can prove to the Satisfaction of the Justice or Justices that he is not the Owner or has not the Custody of such Dog or Dogs, and that such Dog or Dogs were kept or permitted to live or remain in the said House or Premises without his Sanction or Knowledge: Provided always, that where there are
 20 more Occupiers than One in any House or Premises let in separate Apartments or Lodgings, or otherwise, the Occupier of that particular Part of the Premises in which such Dog or Dogs shall have been kept or permitted to live and remain shall be liable to pay the License Duty for such Dog or Dogs.

Occupiers to be liable to Payment of License Duty.

Joint Occupiers.

8. Every Petty Sessions Clerk shall keep a Book to be provided by the Registrar, and to be called "the Registry of Dogs License Book," in which he shall register the Issue of such License, the Date thereof, and the Name and Residence of the Person to whom issued, as also the Description of the Dog or Dogs as contained in
 30 the License, which Book shall be open to the Inspection of the Registrar and his Clerks, and of every Justice of the Peace, County Inspector, Sub-Inspector, Head or other Constable of Constabulary, and of every Superintendent, Head or other Constable of the Dublin Metropolitan or other local Police Force; and the Petty Sessions
 35 Clerk shall certify at the Foot or on the Back of every such License that the same has been duly registered, and shall affix to every such Certificate of Registry a *Slapewag* Petty Sessions Stamp, to be paid for by the Person taking out the License.

Clerk to make Entry of License in Book to be kept for that Purpose.

9. Where any Dog shall be transferred by Sale or Gift by its
 40 Owner to any other Person, it shall not be necessary for such Person to take out a new License for such Dog if such Dog shall have been licensed within the Year, but such Person shall obtain from

Proceedings on Transfer of Dog by Sale or Gift.

the Petty Sessions Clerk of the District where the License was issued a Certificate in the Form in the Schedule (D.) to this Act annexed, to which Certificate a *Sixpenny* Petty Sessions Stamp shall be affixed to be paid by the Person requiring the same, and such Person shall, within *Fifteen Days* after such Transfer, cause 5 such Certificate to be registered in the "Registry of Dogs License Book" for the Petty Sessions District in which the Person to whom such Transfer shall have been made resides, and the Petty Sessions Clerk of such District shall, on Application, register such Certificate, and shall certify such Registry at the Foot or at the 10 Back of the Certificate, and no Fee or Stamp Duty shall be payable on such Registry; and in default of causing such Registry to be made such Person shall be liable to the Penalties incurred by Persons keeping unlicensed Dogs.

Power to
Justices to
enforce Pay-
ment of Fees
in certain
Cases.

10. In case the Person who shall be liable, under the Provisions 15 of this Act, to pay such Fee of *Sixpence* upon every such Certificate of the Registry of such License, shall fail to make such Payment, it shall be lawful for the Justice or Justices at Petty Sessions to make a summary Order, on the Complaint of the Clerk of such Petty Sessions, to require the Payment of such Fee; and 20 such Order shall be enforced in like Manner as any Order of a Justice or Justices may now be enforced under the Provisions of "The Petty Sessions (Ireland) Act, 1851," and any Act amending the same: Provided always, that every Petty Sessions Clerk shall, when required so to do, and as a Part of his Duty, and without 25 Charge, properly fill up all Licenses purchased of him under the Provisions of this Act.

Petty Ses-
sions Clerk
shall fill up
Forms, when
required.

Lists of
Licenses to
be printed
and posted.

11. Every Petty Sessions Clerk shall, between the Fifteenth 30 Day of February and the First Day of March in each Year after the Commencement of this Act, cause a sufficient Number of Lists to be printed or written in the Form in the Schedule (C.) to this Act annexed, and shall cause such Lists to be posted on or near to the Doors of every Petty Sessions Court and Police Station and Barrack within his District, and shall furnish a Copy of such Lists to the Clerk of each Poor Law Union in his District. The Cost of 35 printing and posting such Lists shall be defrayed by the Registrar.

Petty Ses-
sions Clerk
to account
with the
Registrar
half-yearly.

12. Every Petty Sessions Clerk shall account with the Registrar for all Licenses or License Stamps issued to him; and such Account shall be made, passed, and audited in such Form and Manner and at such Times as the Lord Lieutenant shall for that Purpose 40 direct.

13. Every

13. Every such Account shall be verified by the Affidavit or Affirmation of the Petty Sessions Clerk, to be made before the Registrar or One of the Justices of the District or One of the Districts to which the said Clerk shall belong.

Accounts to be verified.

14. The Lord Lieutenant may from Time to Time make Regulations for the Allowance of such of the Licences or License Stamps issued under the Provisions of this Act as may have been spoiled or rendered useless or unfit for the Purpose intended, or which through Mistake or Inadvertence may have been improperly or unnecessarily used.

Allowance for Licences or License Stamps spoiled, &c.

15. All the Costs and Expenses incurred by the Commissioners of Inland Revenue and Registrar under this Act shall be paid out of the Monies arising from the Sale of Licences under this Act, and any surplus Monies arising from such Sale, and remaining in the Hands of such Registrar after defraying all Expenses incurred by him under this Act, shall be paid over by him once a Year to the Credit of the Treasurer of the County or Borough, as the Case may be, in which such Licences shall have been sold, in such Manner as the Lord Lieutenant shall direct, to be applied by such Treasurer in aid of the County or Borough Rates, as the Case may be, in such Manner as the Grand Jury or Town Council of such County or Borough shall direct: Provided always, that it shall be lawful for the Lord Lieutenant from Time to Time, by any Writing under his Hand, to direct that the Registrar shall have and be allowed to retain such annual Sum as the Lord Lieutenant may think fit, by way of Remuneration for the Trouble incurred by the Registrar and his Clerks and by the Petty Sessions Clerks respectively in performing the Duties imposed on them by this Act.

Repayment of Expenses.

Monies received for Stamps to be subject to Provisions of "The Petty Sessions Clerk (Ireland) Act, 1858."

Accounts to be presented to Parliament.

Registrar to furnish Notices setting forth Acts required to be

16. The Monies received by the Clerk of Petty Sessions for the Petty Sessions Stamps to be used for the Purposes of this Act shall be subject in all respects to the Provisions of "The Petty Sessions Clerk (Ireland) Act, 1858."

17. The Registrar shall make out and prepare an annual Statement of his Accounts under this Act, at such Time and in such Form as the Lord Lieutenant shall direct, and such Accounts shall be annually laid before Parliament.

18. The Registrar shall, in sufficient Time before the *Thirty-first Day of December One thousand eight hundred and sixty-five*, furnish to the Clerks of Petty Sessions printed Notices, which the said Clerks shall, on or before the said *Thirty-first Day of December*,
[127.] A 3

done under
this Act.

cause to be fixed or placed on the Outside of the several Church and Chapel Doors or other public and conspicuous Buildings or Places within their respective Districts, and which Notices shall specify the several acts required to be done for the Purpose of registering any Dog or Dogs under the Provisions of this Act.

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PART II.

Penalties.

The Provisions of the Stamp Acts, as far as applicable, to be extended to this Act.

19. The Provisions contained in the several Acts for the Time being in force relating to Stamps under the Care and Management of the Commissioners of Inland Revenue shall (so far as the same are applicable, and consistent with the Provisions of this Act,) in all Cases not hereby provided for be in full Force and Effect with respect to the Stamps to be provided under the Provisions of this Act, and shall be applied and put in execution for preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating thereto, as fully and effectually, to all Intents and Purposes, as if such Provisions had been adapted to and specially enacted by this Act in reference to the Stamps hereby provided.

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Penalty on Owners of Dogs not having the same licensed.

20. Any Person who shall, from and after the Thirty-first Day of March in each Year after the Commencement of this Act, have in his Possession or Custody any Dog or Dogs not duly licensed in accordance with the Provisions of this Act, shall be liable to a Penalty not exceeding *Two Pounds* and not less than *Five Shillings*; and the Justice or Justices shall further order such Person forthwith to take out a License for such Dog or Dogs; and the Petty Sessions Clerk shall thereupon issue such License upon Payment of the proper License Duty by such Person; and if after such Order such Person shall continue to keep any Dog or Dogs without having obtained a License, he shall, in addition to the Penalty imposed for the Second and any subsequent Offence, pay a Sum not exceeding *One Shilling* for each Day he shall have kept a Dog without License.

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Penalty for refusing to produce License.

21. Every Person licensed under this Act shall produce such License, whenever so required by a Justice of the Peace, Officer, Head or other Constable of Constabulary or of the Dublin Metropolitan or other local Police Force, and in case of Refusal he shall be liable to a Penalty not exceeding *Five Shillings*.

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Recovery of Penalties.

22. Every Penalty recoverable under the Provisions of this Act shall be recoverable in a summary Way, with respect to the Police District

District

- District of Dublin Metropolis subject and according to the Provisions of any Act regulating the Powers and Duties of Justices of the Peace for such District or of the Police of such District, and with respect to other Parts of Ireland, before a Justice or Justices of the Peace sitting in Petty Sessions, subject and according to the Provisions of "The Petty Sessions (Ireland) Act, 1851," and any Act amending the same, and shall be applied according to the Provisions of "The Fines Act (Ireland), 1851," and any Act amending the same.
23. No Penalty shall be exacted in any Case where it shall appear to the Satisfaction of the Justice or Justices that the Person failing to comply with the Provisions of this Act has not wilfully been guilty of such Failure, but that such Failure has been occasioned by unavoidable Accident, or by Circumstances over which he had no Control; provided always, that such Justice or Justices shall forthwith order such Person to take out a License for the Dog or Dogs in his Possession or Custody, or otherwise comply with the Provisions of this Act, and that such Person shall forthwith comply with such Order.

Application
of Penalties.

No Penalty
where
Failure
not wilful.

SCHEDULES.SCHEDULE (A.)

<i>Schedule.</i>	<i>Duty.</i>	
For every License to keep One Dog - - -	£ s. d. 0 2 0	
For every License to keep Two or more Dogs - - -	0 2 0 { For each Dog.	5

SCHEDULE (B.)

I hereby certify, That *A.B.* [*Former*], residing at
 in the Townland of in the Parish of
 in the County of has this Day taken out a License 10
 for the Year ending for the Dog or Dogs
 described at the Foot hereof, and paid the Sum of
 being the License Duty imposed in respect of such Dog or Dogs
 by the "Dogs Regulation (Ireland) Act, 1865."

<i>Number of Dogs.</i>	<i>Colour.</i>	<i>Description.</i>	15

Dated this

Day of

18 .

(Signed) *C.D.*,
 Clerk of
 Petty Sessions.

Note.—In Cases where an Owner or Master of a Pack of Hounds, Harriers, 20
 or Beagles, or an Owner of several Greyhounds, takes out a License, the
 Number

Dogs Regulation (Ireland).

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Number of such Dogs need only be given; but where a License is taken out for other Dogs, the Colour and Description of each Dog should be given as far as possible.

5 No. 11
Registry Book } I hereby certify, That this License has been duly
 registered in the "Registry of Dogs License Book"
 kept for that Purpose by me, pursuant to Section Eight
 of the "Dogs Regulation (Ireland) Act, 1865."

Dated this Day of 18 .

(Signed) C.D.,
Clerk of
Petty Sessions.



SCHEDULE (C.)

I hereby certify, That the following Persons have taken out
Licenses in the Petty Sessions District of in the
15 County of for the Number of Dogs set opposite
their Names for the Year ending .

Name.	Residence.	Number of Dogs.

Dated this Day of 18 .

(Signed) C.D.,
Clerk of
Petty Sessions.

SCHEDULE (D.)

I hereby certify, That A.B. [Owner] residing at
in the Townland of _____ in the Parish of _____
in the County of _____ has paid the License Duty, under 5
the "Dogs Regulation (Ireland) Act, 1885," for the Dog described
at the Foot hereof for the Year ending _____ 18 ____.

Dated this

Day of

18

(Signed) C.D..

Clerk of

Petty Sessions.

Place for
Patty Sessions
Singer.

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Dogs Regulation (Ireland).

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B I L L

For regulating the keeping of Dogs and
for the Protection of Sheep and other
Property from Dogs in Ireland.

*(Proposed and brought in by
Sir Robert Peel and Mr. Lubbock.)*

*Ordered, by The House of Commons, to be Printed,
4 May 1865.*

[Bill 187.]
Under 2. c.